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Faculty Practices of the
University of Maryland School of Medicine

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STATE OF MARYLAND)
COUNTY OF Baltimore) SS

AFFIDAVIT OF ANDREW KRAMER, M.D.

1. I, Andrew Kramer, M.D., am a physician licensed to practice medicine in Maryland. I spend greater than 75% of my time in the active clinical practice of medicine and/or teaching. I am board certified in urology.
2. I have reviewed the available medical records concerning treatment provided to Jeremy Lawson while he was a patient at the Cleveland VA Medical Center. I am familiar with the standard of care as it pertains to the surgery and post-operative care provided to Jeremy Lawson at the Cleveland VA Medical Center.
3. In my opinion the care provided to Jeremy Lawson by the health care providers at the Cleveland VA Medical Center on March 26, 2018 and thereafter was below the standard of care.
4. These deviations from the standard of care proximately caused injuries and damages to Jeremy Lawson.
5. I further incorporate my opinions in this case as set forth in the report I authored which is attached hereto as Exhibit AA.@

Affiant further sayeth naught.

Andrew Kramer, M.D.

Sworn to and subscribed before me this 14th day of January, 2019.

Notary Public
MARCELLA A. FISHER





**UNIVERSITY of MARYLAND
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Faculty Practices of the
University of Maryland School of Medicine
January 11, 2019

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R. Craig McLaughlin, Esq.
Elk & Elk Co., Ltd.
6105 Parkland Blvd., Suite 200
Mayfield Heights, OH 44142

Re: Your Client: Jeremy P. Lawson
Date of Injury: March 26, 2018

Dear Mr. McLaughlin:

Per your request, I reviewed medical records and other documents concerning Jeremy P. Lawson and the March 26, 2018 vasectomy procedure he underwent at the Cleveland VA Medical Center and his subsequent complications. I am now writing this report to summarize my qualifications as an expert witness; summarize the relevant information contained in the documents I reviewed; and provide you with my expert opinions concerning this matter.

EXPERT QUALIFICATIONS

I am a physician licensed to practice medicine in Maryland. I am board certified in urology. I am the associate chairman of the department of surgery at the University of Maryland School of Medicine. I am also an associate professor at the University of Maryland School of Medicine and have an active clinical practice in the area of urology. I have extensive experience in performing vasectomy procedures and caring for patients who have had this procedure post-operatively.

DOCUMENTS REVIEWED

- Cleveland VA Medical Center records (Progress notes, telephone call notes)(3/23/18-5/7/18)
- Cleveland VA Medical Center records (Surgery report, notes, etc.)(3/26/18)
- Madison Lake Health Medical Campus (ER)(3/28/18)
- TriCounty Ambulance records (3/28/18)
- TriPoint Medical Center records (ER)(Surgery)(3/28/18-3/29/18)
- Medical bills

HISTORY

Mr. Lawson was 30 years old at the time he went to the Cleveland VA Medical Center in order to have a vasectomy procedure performed. The surgery was performed on March 26, 2018 by Dr. Anudeep Mukkamala, a resident surgeon, and Dr. Donald Bodner, the attending surgeon. The right vas was identified, cut, and tied off. The surgeon was unable to isolate the left vas, so the decision was made to abort the procedure on the left vas. The incision that was made on the right hemiscrotal skin was then closed with sutures. Mr. Lawson was discharged from the Cleveland VA Medical Center that same day.

On the morning after surgery, Jeremy called the Cleveland VA Medical Center because he was having a lot of pain. He did not get to speak to the surgeon and was told to take Motrin or Tylenol for his pain. Jeremy called the Cleveland VA a second time on March 27, 2018 and again verbalized his concerns about increased swelling and discomfort to the surgical site. Again, he did not get to speak with the surgeon. He was merely told to follow the post-operative instructions and call his provider.

On March 28, 2018, the pain continued to get worse so Jeremy went to the ER at Lake Health Madison. The records document Jeremy was complaining of pain and swelling in his testicle. It is noted he had had a vasectomy on his right side two days ago at the VA and had been unable to get in contact with his surgeon despite multiple calls. The right half of his scrotum was bruised; tender to touch; was hard; and Jeremy had 10/10 severe pain. An ultrasound was performed and an urologist was consulted. It was determined there was no blood flow to Jeremy's right testicle and it was not salvageable. Jeremy was then transferred to TriPoint Medical Center for observation and surgery was performed the next day to remove his right testicle. On March 29, 2018, Dr. Melissa Reigle performed the right scrotal exploration and right orchiectomy. In her operative notes she states, "He had multiple attempts to try and reach his operating surgeons; however, did not receive any answer, thereby presented to the emergency department yesterday afternoon 48 hours later with these complaints and ultrasound revealed a necrotic soft heterogeneous testicle on the right side with no flow." She also documented in her note that "there appeared to be at the prior incision site a mat of sutures at the cord, which appeared to be obstructing the blood flow."

EXPERT OPINIONS

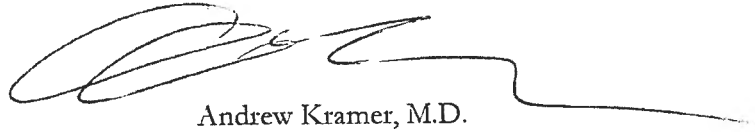
Based upon my review of the medical records and documents that were provided as well as my education, training, and many years of experience as a medical doctor who specializes in urology, I have the following opinions that I hold based upon a reasonable degree of medical certainty ("more likely than not"):

1. In my professional opinion, the health care providers at the Cleveland VA Medical Center breached the standard of care in performing the vasectomy procedure on Jeremy Lawson on March 26, 2018 and in their post-operative follow up care. Specifically, the surgeons should have ensured that the blood flow to Jeremy's right testicle was not cut off when they sewed up his surgical incision. Further, his surgeons should have called him back to discuss his post-operative complaints and concerns when Jeremy called in twice on March 27, 2018.
2. In my professional opinion, Jeremy Lawson suffered an injury to his right testicle as result of the medical negligence of his health care providers at the Cleveland VA Medical Center.
3. In my professional opinion, more likely than not, the medical treatment Jeremy received at Lake Health Madison and TriPoint Medical Center, including the surgery to remove his right testicle, was reasonable and necessary due to his injuries caused by the medical negligence of the health care providers at the Cleveland VA Medical Center.
4. In my professional opinion, more likely than not, the injury to Jeremy's right testicle is permanent as it had to be removed during a surgery.

5. In my professional opinion, more likely than not, Jeremy will need medical treatment in the future. Specifically, Jeremy can undergo surgery to implant a testicular prosthesis and other requisite post-operative care.

I reserve the right to supplement my opinions in this case upon the receipt of new information or documents.

Sincerely,

A handwritten signature in black ink, appearing to read 'AKramer', with a long horizontal line extending to the right.

Andrew Kramer, M.D.